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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,929	01/30/2004	Helen M. Scully	12263	8194
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CHARLES LOUIS THOEMING 1390 WILLOW PASS ROAD, SUITE 1020 CONCORD, CA 94520			EXAMINER HADIZONOOZ, BANAFSHEH	
			ART UNIT	PAPER NUMBER
			3714	
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			09/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/768,929

Applicant(s)

SCULLY, HELEN M.

Examiner

Banafsheh Hadizonooz

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-34 is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

In response to the correspondence filed on 01/30/2004, claims 1-34 are pending. This office action is made non-final.

Allowable Subject Matter

Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al (US 6,213,780) in view of Mascarenhas (US 7, 162, 432).

Regarding claims 1 Ho discloses a method for an improved career discovery tool comprising providing a career profile (e.g. user's profile) action planning and research(See Abstract and Figure 17). However, Ho does not specifically disclose assessing and understanding personality themes. However Mascarenhas discloses a system, wherein a psychological significance pattern is created for the end users enabling them to run custom searches on products, services and jobs. Therefore, it would have been obvious

to incorporate the features of the Mascarenhas into the method of Ho in order to design a method that takes advantage of the user's psychological assessment result to better align them with a certain career path.

Regarding claims 2-5, Ho further discloses assessing values, skills and career interests (See Figure 17 and Col. 5, 17-23).

Regarding claims 6-9, Ho/Mascarenhas do not specifically disclose recording sheets comprising rows and columns to organize the personality, skills, values and career interests. However, tabulating and prioritizing data is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above-mentioned feature into the system and method of Ho/Mascarenhas in order to make the decision making process more systematic and efficient.

Regarding claims 10 and 11, Mascarenhas discloses a method wherein the classification significance pattern is determined for each user, which helps them in job search. Mascarenhas further discloses personality trait topography wherein the individual's characteristics are listed in a table (See Col.12, 33-67). Mascarenhas does not specifically disclose a set of four personality theme such as organizer, liberator, facilitator and innovator. However, the applicant has not disclosed that the specific four personality categories mentioned above are for any particular purpose other than those mentioned in Mascarenhas reference. Therefore, it would have been an obvious matter of design choice to incorporate the four personality categories into the method of

Ho/Mascarenhas in order to include more diverse personality themes, and therefore attract a larger number of users.

Claim 12-20, and 33 are rejected under 35 U.S.C 103(a) as being unpatentable over Ho et al (US 6,213,780) in view of Mascarenhas (US 7, 162, 432) and further in view of Ellis et al. (US 2005/0026119).

Ho/Mascarenhas discloses a method comprising a career profile including the personality themes, values and skills. Ho/Mascarenhas does not specifically disclose tabulating the data and transferring them to the scoring sheet. However Ellis et al. Discloses a career development frame work with base line competency assessment wherein the individuals competencies and skills are scored (See Fig.5). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the features of Ellis's invention into the system and method of Ho/Mascarenhas in order to better evaluate individual's capabilities in assigning them to specific jobs.

Regarding claim 13 Mascarenhas further discloses matching personality snapshot results with career profile (e.g. Pearson correlation coefficient), reviewing description of personality snapshots (See Col.14, table II), rank personality themes (See Col. 17, 23-35 and Fig.7).

Regarding claim 14, Mascarenhas further discloses a providing a roster of a plurality of possible industries (e.g. jobs) (See Table II), the user's personality theme ranking (e.g. Pearson Correlation Coefficient). Mascarenhas does not specifically disclose providing the user with sample informational interview; however, Ho discloses

such in his invention (See Col.17, 56-67). Ho/Mascarenhas does not expressly disclose providing a contact person, networking suggestions and sample informational interview to the user. However, Ellis discloses providing a contact person (e.g. coach) and networking suggestions (e.g. technical resources) to the user. Therefore it would have been obvious to one of ordinary skill in the art to incorporate the features of Ho/Mascarenhas into the system and method of Ellis in order to design a more efficient customized job search system.

Regarding claim 15, Ellis discloses creating action plan including career goals (e.g. objectives) (See Figure 6), steps necessary to achieve each career goals (e.g. Competency framework) (See Figs.2 and 3), resources needed to achieve each step (e.g. support resources) (See Fig. 4), completion dates for each step (e.g. end of period) (See Fig.1) and modifying the action plan as necessary (e.g. recharter the team as needed) (See Fig. 6).

Regarding claims 16-20, Mascarenhas teaches a memory device, a processor (e.g. CPU) coupled to memory device (See Fig.2), retrieving user's profile (See Fig. 5), Accepting user into the system (See Col. 7, 22-26)generating prompts (See Col. 7, 30-36), and securely storing user's input (See Fig. 7, element 713). Mascarenhas also discloses that the user accesses the data processing system via the Internet (See Fig.1), wherein the user accesses the data processing system via CD-ROM (See Col. 10, 40-47). Mascarenhas does not specifically disclose a method for user's payment and storing user's payment. Nonetheless the examiner takes official notice that it is obvious to include a method of payment in the system in exchange for the service

provided. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the Mascarenhas' invention in order to accept payments from the user to maintain the system.

Regarding claim 33, Mascarenhas/Ellis discloses all the features disclosed in claim 32. However, Mascarenhas/Ellis does not disclose refining user's research. Ho discloses such in his invention (See Fig. 16 A, element 775). Therefore it would have been obvious to one of ordinary skill in the art to incorporate the features of Ho's invention into the system and method of Ellis/Mascarenhas in order to design a dynamic system which keeps updated information about the user's values, skills and career interests.

Claims 22-28 are rejected as being unpatentable over Mascarenhas (US 7, 162, 432) in view of Ellis et al. (US 2005/0026119) and further in view of Official Notice.

Regarding claim 22, Mascarenhas teaches a memory device, a processor (e.g. CPU) coupled to memory device (See Fig.2), retrieving user's profile (See Fig. 5), Accepting user into the system (See Col. 7, 22-26) generating prompts (See Col. 7, 30-36), and securely storing user's input (See Fig. 7, element 713). Mascarenhas also discloses that the user accesses the data processing system via the Internet (See Fig.1), wherein the user accesses the data processing system via CD-ROM (See Col. 10, 40-47). Mascarenhas does not expressly disclose providing career assessment result to the user. However, Ellis discloses a method wherein the result is skill and

competency assessment are presented to the user (See Abstract). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the features of Ellis invention into the system and method of Mascarenhas in order to design a system that provides feedback to the user regarding their abilities. Mascarenhas/Ellis does not specifically disclose a method for user's payment and storing user's payment.

Nonetheless the examiner takes official notice that it is obvious to include a method of payment in the system in exchange for the service provided. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the Mascarenhas' invention in order to accept payments from the user to maintain the system.

Regarding claim 23, Mascarenhas further discloses means for performing all the features mentioned in claim 22.

Regarding claim 24, Mascarenhas discloses a method wherein the classification significance pattern is determined for each user, which helps them in job search. Mascarenhas further discloses personality trait topography wherein the individual's characteristics are listed in a table (See Col.12, 33-67). Mascarenhas does not specifically disclose a set of four personality theme such as organizer, liberator, facilitator and innovator. However, the applicant has not disclosed that the specific four personality categories mentioned above are for any particular purpose other than those mentioned in Mascarenhas reference. Therefore, it would have been an obvious matter of design choice to incorporate the four personality categories into the method of

Ho/Mascarenhas in order to include more diverse personality themes, and therefore attract a larger number of users.

Regarding claim 25, Ellis/Mascarenhas discloses means for securely generating career assessment results. However, it does not specifically disclose means for printing the result of career assessment. Nevertheless the examiner takes official notice that it is obvious to provide means for printing the outcome of assessment process, and such technology is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Ellis/ Mascarenhas' invention such that it includes a printer to allow user's to keep record of their assessment result.

Regarding claim 26, Mascarenhas further discloses means for providing personality snapshots (e.g. taking computer-based psychological test), means for user to review the personality snapshots and rank personality themes (See Fig. 3, Fig. 7 and Table I).

Regarding claims 27 and 28, Ellis/ Mascarenhas further discloses means for performing the features disclosed in claim 22.

Regarding claim 34, Ellis discloses retrieving from storage medium an action plan (See Fig. 2, and Fig.3). Ellis further discloses providing current date (e.g. date of completion of the requirements) on the action plan, career goals and objectives, and steps necessary to achieve each career goal (e.g. requirements) (See Fig. 6).

Regarding the feature of providing user name Mascarenhas discloses that users may log into the system (See Col.7, 23-26). Ellis/ Mascarenhas does not expressly disclose prioritizing the steps necessary to achieve a career goal. However, the examiner takes

official notice that it is obvious to prioritize the requirements that leads to achieving a goal. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Ellis/Mascarenhas invention to include the prioritizing step in order to guide the user in achieving his/her goal.

Claims 29-34 are rejected under 35 U.S.C 103 (a) as being unpatentable over Mascarenhas (US 7,162,432) in views of Ellis et al. (US 2005/0026119).

Regarding claim 29, Mascarenhas discloses a data processing system comprising: computer processor, storage medium (e.g. memory) (See Fig.2), means for initializing the storage medium, processing data regarding career profiles and personality themes (See Abstract), and means for action planning and research (See Table II). Mascarenhas does not specifically disclose that the processing system is for career assessment. However Ellis discloses a method for career development framework, wherein based on individual's competencies and skills a plan is provided for them. Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the features of Ellis' invention into the System and method of Mascarenhas in order to design a system that provides a list of professions that are well suited to the individual's personality.

Regarding claim 30 Ellis further discloses inputting and storing a plurality of values sets, skill sets and career interests (See Fig.3)

Regarding claim 31, Mascarenhas discloses verifying the storage medium is correct by retrieving from the storage medium the value identifying the storage medium

(e.g. user's have to login to the system) (See Col. 7, 22-26) and means for performing all the features disclosed in claim 29 (e.g. computer medium).

Regarding claim 32, Mascarenhas further discloses identifying the storage medium (See Col. 7, 22-26), providing description of personality snapshots (See Col.12, 34- CXol.14, 34), and ranking the personality themes (See Col.21, Table II).

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- D'Elena et al. (US 2003/0182178)
 - customized skill development capacity planning
- Merrill et al. (US 5954510)
 - Goal Achievement System and Method


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Banafsheh Hadizonooz whose telephone number is 571-272-1242. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272- 6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BH


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